

est products grown in any such forest in such manner as the governing authority of such agency may determine, subject to the approval of the commissioner of conservation. The proceeds of such sales shall be paid into the treasury of the agency, and may be used for maintenance or improvement of the forest, for acquisition of additional land for such forests, or for any other purpose within the lawful powers of the agency, as its governing authority may determine.

Approved April 14, 1949.

CHAPTER 432—H. F. No. 1760

[Not Coded]

An act relating to county road and bridge tax levy in certain counties.

Be it enacted by the Legislature of the State of Minnesota :

Section 1. **County road and bridge tax levy in certain counties.** The county board in any county now or hereafter having a population of not less than 15,000 nor more than 18,000, containing not less than 20 nor more than 22 full and fractional congressional townships, and having an assessed valuation of not less than \$7,500,000 nor more than \$10,000,000, at its July meeting may include in its annual levy an amount for the county road and bridge fund which shall not exceed 20 mills on the dollar of the taxable valuation of the county. Such taxes may be additional to the amount permitted by law to be levied for other county purposes.

Approved April 14, 1949.

CHAPTER 433—H. F. No. 1435

[Coded as Sections 202.41 to 202.54]

An act providing for the expression of the popular will for party nominations for president of the United States; providing for the selection of delegates and alternates to conventions of national political parties.

Be it enacted by the Legislature of the State of Minnesota :

[201.41] **Section 1. Presidential primary.** There shall be held, on the third Tuesday in March of each year in which a president and vice president of the United States are to be nominated and elected, a presidential primary, at which election the several political parties recognized by the laws of this state shall express their popular choice for the party nomination for the president of the United States and shall select delegates to their national conventions.

[201.42] **Sec. 2. Number of delegates in national convention.** Subdivision 1. Before January 2 of each year in which primary elections are to be held the chairman of the state central committee of each political party shall notify the secretary of state as to the total number of delegates to which the state will be entitled at the next national convention of said political party.

Subd. 2. If the state chairmen, or either of them, shall fail to file such notice, the secretary of state shall ascertain such facts from the official call for the national nominating convention issued by the chairman of the national committee of the party.

[201.43] **Sec. 3. Number and manner in selection of convention delegates.** Subdivision 1. Delegates to the national convention of each political party shall consist of delegates from congressional districts and delegates at large, to be selected in the manner hereinafter provided and to be allocated as follows:

(a) Two delegates shall be selected by the electors in each congressional district.

(b) Three delegates at large shall be selected by the state convention of each political party.

(c) The remaining delegates, to complete the number to which the state will be entitled at the national convention of the party, shall be selected as delegates at large at the state-wide primary.

Subd. 2. Alternates for each delegate shall be selected as hereinafter provided.

Subd. 3. Each delegate and alternate from a congressional district shall be a resident of that district, and each delegate and alternate at large shall be a resident of the state.

[201.44] **Sec. 4. Presidential candidate; affidavit of candidacy.** Subdivision 1. Any person who is a candidate for the nomination of his party for president of the United States, may, beginning January 15 of said election year and not later than 12:00 o'clock noon on the following February 15, file with the secretary of state an affidavit of candidacy, requesting that his name be entered on the presidential primary ballot of his party. He shall include in the affidavit the following:

(a) The name of his party.

(b) The names of the delegates to the national convention whom he desires to represent him for the delegate positions referred to in Section 3, Subdivision 1 (a) and (c), and shall specify the names of the two delegates who are to represent him from each congressional district, and the names of the delegates who are to represent him from the state at large.

Subd. 2. The candidate, at the time of filing his affidavit of candidacy, shall pay to the secretary of state a fee of \$25.

[201.45] **Sec. 5. Presidential candidate named by petition.** Subdivision 1. Beginning February 1 of said election year and not later than the following February 15, there may be placed on the ballot, by petition filed with the secretary of state, the name of any person as a candidate for the nomination for the presidency of the United States. The said petition shall be signed by at least 100 voters from each congressional district in the state.

Subd. 2. Such petition may consist of one or more writings and shall include the following information:

(a) The name of the candidate whose endorsement is desired and the name of the political party on whose ballot the name is to be entered.

(b) A complete list of delegates for the positions referred to in Section 3, Subdivision 1 (a) and (c); and there shall be specified the names of the two delegates who are to repre-

sent each congressional district and the names of the delegates who are to represent the state at large.

(c) A statement that the filing is made in good faith and for the purpose of advancing the candidacy of the person whose name is filed.

(d) At the time of filing such petition, the person filing same shall pay to the secretary of state a fee of \$25.

Subd. 3. After the signature of each signer there shall be written his post office address and the congressional district in which he resides. Following the facts required to be stated in each petition signed by the voter shall be written or printed an oath in the following form:

"I solemnly swear (or affirm) that I know the contents and purpose of this petition and signed same of my own free will."

[201.46] Sec. 6. **One filing for one candidate.** Only one filing under Sections 4 and 5 for any one candidate may be accepted, and only the first filing made in accordance with the requirements of this chapter by or for the candidate shall be recognized and the name of the candidate contained therein shall be placed on the ballot, together with the names of the delegates set out in such filing papers. Each filing under Sections 4 and 5 must name the full number of delegates referred to in Section 3, Subdivision 1 (a) and (c). Consent of the individual to have his name filed as candidate for president shall not be required.

[201.47] Sec. 7. **Informative affidavit.** There shall be attached to each filing made under Section 4 or Section 5 of this chapter affidavits signed by each proposed delegate named in the filing papers, and each affidavit shall contain the following information:

- (a) the residence and post office address of the delegate.
- (b) a statement that he is a qualified voter.
- (c) a statement that he will not withdraw his name before the presidential primary.

(d) a statement that he is affiliated with the political party whose nomination the candidate seeks, and that he in-

tends to vote at the ensuing election for the nominee for president of that political party.

(e) A pledge in the following form :

“I pledge myself that if I am selected at the presidential primary as a delegate to the _____ national party convention, as a delegate pledged to the candidacy of (insert here the name of the candidate for whose candidacy the delegate has been filed) as a candidate for the nomination of the said party for president, that I will, until released by said candidate, vote for his candidacy on the first ballot of the said party convention and vote for his candidacy on all ensuing ballots, provided, however, that if on any ballot said candidate shall receive less than ten per cent of the total vote cast on such ballot, I am released from this pledge and shall thereafter have the right to cast my ballot according to my own judgment.”

[201.48] **Sec. 8. Presidential primary; how conducted.** Except as otherwise provided in this chapter, the presidential primary election shall be announced, held, and conducted, and the results canvassed and returned in the same manner as is now provided by law for primary elections and in accordance with the general election laws of the state, insofar as the same are applicable, provided, however, that nothing contained in this act shall alter or amend the existing primary election laws or the general election laws except as herein specifically provided. If any municipal corporation where voting machines are customarily used determines that the use of said voting machines would not be practical in the presidential primary, the municipal corporation may substitute for said voting machines a paper ballot for use in the election provided for by this chapter.

[201.49] **Sec. 9. Information furnished to county auditor by secretary of state; preparation of ballots.** Subdivision 1. Prior to January 1st of the year in which the presidential primary is to be held, the secretary of state shall cause to be delivered to the auditor of each county a notice advising him of the date said election will be held; and each auditor, on receipt thereof, shall cause a notice to be delivered to each town, city, and village clerk in his county, and one notice shall be posted at least fifteen days before the time of holding the

election in each district by the several town, village, and city clerks, stating the hours during which the polls will be open, provided, however, that no failure to give such notice shall invalidate the election.

Subd. 2. Immediately after the last date for filing, as provided for herein, the secretary of state shall prepare ballots for use in the election. The ballots shall be printed on white paper, and separate ballots shall be printed for each political party for whose endorsement a filing has been made. A separate ballot shall be prepared for each party, to be used in each congressional district, and there shall be included thereon the name of each candidate who has filed an affidavit of candidacy or for whom a petition has been filed, together with the names of the delegates at large and the names of the two delegates from the respective congressional districts provided, however, that if on or before February 25th there is filed with the secretary of state an affidavit of any person filed as a candidate under the provisions of Section 5 hereof stating that he is not a candidate for the nomination of president for the party for which he has been filed and that if nominated by such party he will not accept, then the name of such person and the delegates pledged to his candidacy shall not be included in the ballot of that party and the filing fee shall be returned to the person who paid same to the secretary of state. In preparing the ballots, the secretary of state shall list the names of the candidates in the order that filings were made by or on behalf of said candidates, and there shall be no rotation of names on ballots. He shall first list the name of the candidate in prominent type, and below the name of the candidate or alongside his name there shall be placed, in smaller type, the names of the proposed delegates at large who are pledged to the candidate, and the names of the two delegates who are pledged to the candidate from the congressional district in which the ballot is to be used. The ballot shall further be prepared in such manner that the elector may mark an "X" after the name of the candidate.

Subd. 3. At said election each elector may cast one vote for the candidate of his choice. The votes shall be tallied for each congressional district. The candidate who receives a plurality of votes in each congressional district will be declared to be the endorsed candidate of that district, and the two delegates whose names appear on his ballot from that district shall be declared to be the duly authorized and selected delegates of the party from that district to the party's national convention. All ballots shall further be tallied state-wide, and

the candidate who receives a plurality state-wide of all votes cast by his party shall be declared to be the endorsed state-wide candidate; and the delegates at large whose names appear on his ballot shall be the duly authorized and selected delegates at large to the party's national convention. The three delegates at large selected by the state convention of the party, as provided by Section 10, Subdivision 1, shall be required to pledge themselves to support at the national convention the candidacy of the candidate who received the plurality of votes state-wide in the presidential primary.

[201.50] Sec. 10. *Delegates at large.* Subdivision 1. Three delegates at large to the party's national convention shall be selected by a state convention of the party, to be called and conducted in accordance with the provisions of Minnesota Statutes 1945, Sections 202.10 to 202.18. Said convention shall be held subsequent to the presidential primary and at least 30 days prior to a national convention of the party. The state convention shall also elect three alternate delegates who shall serve as alternates to the delegates at large selected by the convention and a number of alternates equal to the number of delegates at large selected at the presidential primary. The convention shall specify in each instance the name of the delegate at large for whom the alternate is chosen.

Subd. 2. Alternates to delegates chosen from the several congressional districts shall be named by conventions in the respective congressional districts, to be held subsequent to the presidential primary and at least 40 days before the opening day of the national convention. In selecting alternates, each convention shall specify the name of the selected delegate for whom each alternate is named. If any district fails to name alternates within the specified time, they shall be named by the state convention.

Subd. 3. The three delegates at large, and all alternates chosen as provided in Subdivision 1 of this section and the alternates selected by the congressional district conventions, as provided for in Subdivision 2 of this section, shall, not later than two weeks prior to the date of the national convention of the party, file with the secretary of state an affidavit stating that he accepts the appointment as delegate or alternate, as the case may be; and there shall be included in each affidavit a pledge in the following form:

"I pledge myself that, as a (delegate or alternate) to the _____

national party convention, I understand that I am pledged to the candidacy of _____ (if a delegate or alternate at large, insert the name of the candidate endorsed state-wide at the presidential primary; or, if an alternate to a district delegate, insert the name of the candidate endorsed by the district at the presidential primary), and that at the convention of said party I will, until released by said candidate, vote for his candidacy on the first ballot of the said party convention and vote for his candidacy on all ensuing ballots, provided, however, that if on any ballot said candidate shall receive less than ten per cent of the total vote cast on such ballot, I am released from this pledge and shall thereafter have the right to cast my ballot according to my own judgment."

Subd. 4. If any delegate or alternate, chosen as provided for in this section, shall fail to file said affidavit within the time required, he will be deemed not to have qualified as a delegate or alternate, as the case may be, and in that event the state central committee of the party shall immediately fill the vacancy, or vacancies, and those so appointed shall, in order to qualify, file with the secretary of state, prior to the date of the national convention of the party, an affidavit in the form set out in Subd. 3 of this section.

[201.51] Sec. 11. **List of delegates and alternates with secretary of state.** Within seven days after any delegate or alternate to the national convention of a party has been selected by any state convention, district convention, or state central committee as in this chapter provided, the secretary of such convention or committee shall certify such names to the secretary of state.

[201.52] Sec. 12. **Certificate of agreement.** The secretary of state shall issue to each delegate selected at the presidential primary a certificate of appointment, and he shall also issue to each delegate or alternate, whose name has been certified to him under the provisions of Section 11, a certificate of appointment when such delegate or alternate has qualified by complying with the applicable requirements of Subdivision 3 or Subdivision 4 of Section 10.

[201.53] Sec. 13. **Powers of conventions not curtailed.** Nothing contained in this act shall be construed to limit the

right of any party congressional convention or any party state convention to take any action of any kind not in conflict with the provisions of this chapter.

[201.54] Sec. 14. **Division of fees.** Fees collected by the secretary of state under this chapter shall be divided equally between the counties, and the secretary of state shall certify such division to the state auditor, who shall issue warrants therefor on the state treasurer for the amount due to each county.

Approved April 14, 1949.

CHAPTER 434—H. F. No. 1614

An act relating to permits to prospect for iron ore on state lands and to the issuance thereof, amending Minnesota Statutes 1945, Section 93.17.

Be it enacted by the Legislature of the State of Minnesota :

Section 1. Minnesota Statutes 1945, Section 93.17, is amended to read as follows :

“93.17. Application for permits; bids; awards. *Subdivision 1.* Applications for permits to prospect for iron ore shall be presented to the commissioner in writing in such form as he may prescribe at any time prior to the time of opening the bids as hereinafter provided. The application shall be accompanied by a certified check payable to the state treasurer in the sum of \$50.00 for each mining unit as set out above. Each application shall be accompanied also by a sealed bid setting forth the amount of royalty per gross ton of crude ore based upon the iron content of the ore when dried at 212 degrees Fahrenheit, in its natural condition or when concentrated, as set out in detail hereafter, that the applicant proposes to pay to the State of Minnesota in case the permit shall be awarded to him.

Subd. 2. Whenever a bid on any mining unit exceeds the minimums prescribed in section 93.20, the bidder shall offer a uniform amount above the minimums on all schedules unless the mining unit is expressly excepted from this requirement by